

APPLICATION NO	PA/2020/1241
APPLICANT	Mr M Knowles
DEVELOPMENT	Planning permission to erect replacement dwelling following demolition of existing dwelling
LOCATION	2 Nethergate, Westwoodside, DN9 2DR
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	Emma Sheppard
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework:

Paragraph 7 states, 'The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

Paragraph 8 states, 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- (a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity, and by identifying and coordinating the provision of infrastructure;
- (b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and
- (c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

Paragraph 11 sets out the presumption in favour of sustainable development and confirms that, for decision-taking, this means:

- '(c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.'

Paragraph 12 states, 'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan...permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

Paragraph 38 states, 'Local planning authorities should approach decisions on proposed development in a positive and creative way...Decision-makers at every level should seek to approve applications for sustainable development where possible.'

Paragraph 54 states, 'Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.'

Paragraph 59 states, 'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.'

Paragraph 73 states, 'Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should, in addition, include a buffer (moved forward from later in the plan period) of:

- (a) 5% to ensure choice and competition in the market for land; or
- (b) 10% where the local planning authority wishes to demonstrate a five-year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or

- (c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.'

Paragraph 74 states, 'A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:

- (a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and
- (b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.'

Paragraph 75 states, 'To maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.'

Paragraph 109 states, 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

Paragraph 163 states, 'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.'

North Lincolnshire Local Plan:

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

Policy DS7 (Contaminated Land)

Policy DS14 (Foul Sewage and Surface Water Drainage)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Design)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Housing and Employment Land Allocations DPD:

Inset Map for Westwoodside

Policy PS1 (Presumption in Favour of Sustainable Development)

CONSULTATIONS

Highways: No objections subject to conditions stipulating that no loose material shall be used for the driveway, and that it shall be laid out prior to first occupation.

Environmental Health: No objections subject to a condition.

LLFA: No objections or comments.

Environment Agency: No objections.

Isle of Axholme and North Nottinghamshire Water Level Management Board: Recommend a condition stipulating that no development should be commenced until the local planning authority, in consultation with the Lead Local Flood Authority, has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. The LLFA has no comments or objections to the application. An informative will be placed on any forthcoming decision to draw the application's attention to the comments.

PARISH COUCIL

The street scene is a mix of housing types; its immediate location is largely bungalows. It is a large dominating proposal within the context of its immediate street scene and is an over-development of the site. No reason is given for the demolition of the current dwelling, which appears a sound structure; we have not opposed previous applications to extend the current dwelling.

PUBLICITY

A site notice has been posted; no comments have been received.

ASSESSMENT

Site

The application site comprises a detached bungalow and detached garage set within a modest corner plot at the junction of Nethergate and Akeferry Road. The host property is set within a residential context and is within the HELA DPD defined development limit for the settlement of Westwoodside.

There are no discernible land level discrepancies within the site itself and the host dwelling is not listed, nor does it fall within a conservation area. The proposed replacement dwelling is located in Flood Zone 2/3a as defined in the North Lincolnshire SFRA.

Site history

PA/2019/1209: Planning application to vary condition 2 of PA/2017/962 to erect a replacement dwelling – refused.

PA/2017/962: Planning permission to erect a replacement dwelling (resubmission of PA/2017/89) – approved with conditions.

PA/2017/89: Replacement dwelling – approved with conditions.

PA/2016/1000: Extensions and alterations to dwelling – approved with conditions.

Proposal

Planning permission was established under previous applications PA/2017/962 and PA/2017/89, to erect a replacement dwelling on the site with a similar footprint and scale. This application seeks permission to erect a replacement dwelling with a slightly differing design.

The two-storey element of the dwelling is to measure 10 metres wide by 12 metres deep, with a single-storey element to the north-eastern elevation measuring 9 metres wide by 8.9 metres deep. An overall ridge height of 8.5 metres is proposed to the two-storey element pitched roof, which is a 'jerkinhead' roof design. The single-storey element proposes an overall ridge height of 4.8 metres.

The dwelling sits in the same position as the current property with a 10 metre gap retained to the southern boundary, ensuring the building line along Akeferry Road is maintained. The site tapers to the west with a gap of 9 metres retained to the south-western corner which reduces to 3 metres further along the western boundary.

A single garage is proposed to the side elevation which is to measure 8.9 metres deep by 4 metres wide. A pitched roof with side hip and gabled end elevation is proposed. This element will link into the main dwelling by a single-storey element. This is to serve as the main entrance lobby and will incorporate a pitched roof with front to rear ridge with an overall height of 4.7 metres.

The main considerations are the principle of the development, visual amenity/design, residential amenity, land quality, highway issues and flood risk/drainage.

Principle of development

Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Policy CS1 of the Core Strategy is concerned with the overarching spatial strategy for North Lincolnshire. Westwoodside is classed as a Rural Settlement for which criterion c) states, 'Supporting thriving rural communities and a vibrant countryside through the protection and enhancement of local services, creating opportunities for rural economic diversification and the promotion of tourism and that rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service

provision, infrastructure capacity and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement.'

Policy CS2 sets out a sequential approach to development on certain land types. It states that development should be focused on, inter alia, 'Small-scale developments within the defined development limits of rural settlements to meet identified local needs.' The proposal is wholly located within the settlement boundary of Westwoodside and would represent infill development set within a populated residential area. The proposed development is therefore considered acceptable.

Policy CS8 relates to the spatial distribution of housing sites. The policy states, inter alia, that 'new housing within the rural settlements will create opportunities for small-scale infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel.'

The proposed development is for a replacement dwelling within the settlement boundary. The site has benefited from a residential consent for the erection of a replacement dwelling and a subsequent renewal in 2017 which has never been implemented. Both applications would have been considered under the remit of policies within the local plan and the Core Strategy, which both strategically support sustainable development in appropriate settlements, which Westwoodside is considered to be.

Westwoodside represents a sustainable location for residential development in terms of policies CS1, CS2, CS7 and CS8 of the Core Strategy, policy H5 of the North Lincolnshire Local Plan and the requirements in the National Planning Policy Framework.

Visual amenity/design:

Paragraphs 124 and 130 of the NPPF express the importance of good design, high quality buildings and improving the character and quality of an area.

Core Strategy policy CS5 (Delivering Quality Design in North Lincolnshire) states, '...all new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place. The council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context. Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.'

The surrounding housing stock along the northern side of Akeferry Road is characterised by linked detached bungalows with gabled front elevations, therefore displaying some uniformity. To the south of Akeferry Road and along Nethergate to the north and west, there are a variety of house types and designs. The proposed development would see the creation of a four-bedroomed two-storey dwelling. Given the site is read from different vistas and that there is no overriding uniformity at this junction, the proposed development would not introduce such an obtrusive form of development that would impact adversely upon the character or appearance of the area.

The pattern of development in the immediate vicinity of the site is generally linear in its arrangement fronting Akeferry Road to the south, which this dwelling will continue. The generous nature of the plot means that it is quite capable of accommodating the proposed dwelling without appearing unduly cramped or over-developed. The plans demonstrate that the building footprint to plot size ratio is commensurate with all surrounding development and therefore the density of development is considered appropriate for the area.

In terms of the design of the house, the appearance is uncharacteristic of those along the northern side of Akeferry Road. However, the properties beyond Nethergate to the west and north, and the southern side of Akeferry Road, differ significantly; there is, therefore, no real uniformity at this junction. The dwelling is to be constructed of Kempley Antique brick, with an imitation dark grey slate roof and anthracite aluminium apertures. Overall, this design is considered to be of a reasonable quality and given its context, on a corner plot, is read from different vistas ensuring no perceived detrimental impact upon the visual amenity.

Given that the proposals being considered in this case are essentially the same as those previously assessed and approved, with no significant changes, the proposed development is considered acceptable without the detriment to the site itself or the wider street scene. The proposal is therefore considered to be in line with policies DS1 and H5 of the local plan and policy CS5 of the Core Strategy.

Residential amenity

Policy DS5 of the North Lincolnshire Local Plan is concerned with residential extensions. It states that planning applications for residential extensions and the erection of garages, outbuildings, walls and other structures will be allowed providing that the proposal does not unreasonably reduce sunlight or daylight, or result in overshadowing, overbearing impact or loss of privacy to adjacent dwellings. The proposals should also be sympathetic in design, scale and materials to the existing dwelling and its neighbours.

This application seeks planning permission to erect a replacement dwelling. The plans show that the dwelling will be constructed to the same scale, height and of a similar design as the plans approved under planning permissions PA/2017/962 and PA2017/89. Under the previous applications, the proposal was considered in terms of its impact on residential amenity and was concluded to be acceptable. There have been no significant changes that would render this proposal unacceptable.

It is therefore considered that the proposal would not carry any overbearing, overlooking or overshadowing impacts that would be detrimental to the residential amenity rights of surrounding neighbours and aligns with policy DS5.

Land quality

Policy DS7 is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination.

The proposal is for a replacement dwelling and historical maps do not indicate a former land use that would give rise to contaminated land. A condition has been recommended that if, during development, any contaminated material is found then no further development shall be carried out until a written method statement has been submitted to and approved by the local planning authority.

Highway issues

Policy T2 of the North Lincolnshire Local Plan is concerned with access to development and states that all development should be served by a satisfactory access. Policy T19 is

concerned with parking provision as well as general highway safety; both policies are considered relevant.

The principle of the dwelling was established under the previous application. The dwelling will be accessed via an existing access from Nethergate. Given the siting and scale of the proposed development, there would be no perceived highway safety issues, with adequate off-street parking maintained, subject to conditions relating to loose material and provision of the parking prior to occupation of the dwelling.

Flood risk/drainage

Policy CS19 is concerned with flood risk, whilst policy DS14 is concerned with foul sewage and surface water drainage. The proposed replacement dwelling is located in Flood Zone 2/3a as defined in the North Lincolnshire SFRA. The proposal is for 'more vulnerable' development in a high flood risk zone. However, the proposal is for a replacement dwelling on an existing site within the settlement boundary for Westwoodside and the site level is above the critical flood level set out in the North Lincolnshire SFRA. In addition, the proposal will ensure that bedroom accommodation is provided at first floor level thereby providing an area of safe refuge. For these reasons the proposal for a replacement dwelling is considered to be safe from flooding without increasing the risk of flooding elsewhere.

It is noted that the Isle of Axholme and North Nottinghamshire Water Level Management Board recommends the imposition of a condition stating that no development should be commenced until the local planning authority, in consultation with the Lead Local Flood Authority, has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. The LLFA has no comments or objections to the application. An informative will be placed on any forthcoming permission to ensure the applicant is aware of these comments.

Other issues

The proposal would involve the demolition of the existing house and its subsequent replacement with a new dwelling. The existing dwelling is not listed, is not located within a sensitive area, such as a conservation area, and is located within the defined settlement for Westwoodside; its replacement is therefore acceptable in principle.

RECOMMENDATION Grant permission subject to the following conditions:

1.
The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.
The development hereby permitted shall be carried out in accordance with the following approved plans: 1203.10 Site location plan and proposed floor plan; 1203.11 Proposed elevations; and 1203.12 Proposed block plan.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

4.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking space(s) serving it have been completed and, once provided, the parking space(s) shall thereafter be so retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

5.

If during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

Informative 1

The applicant's attention is drawn to the comments raised by the Isle of Axholme and North Nottinghamshire Water Level Management Board.

Informative 2

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

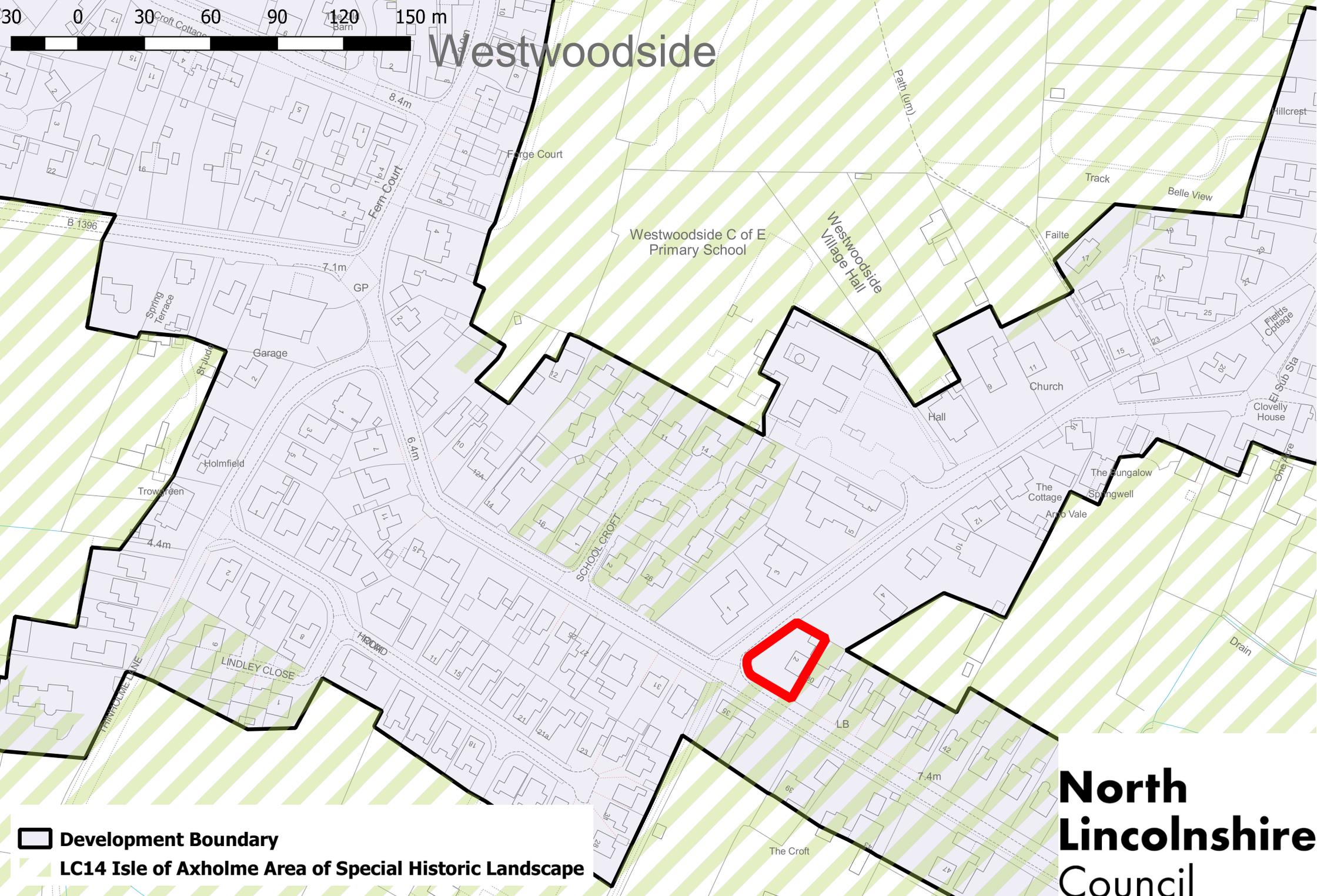
- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 3

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



Westwoodside



- Development Boundary
- LC14 Isle of Axholme Area of Special Historic Landscape

**North
Lincolnshire
Council**

PA/2020/1241

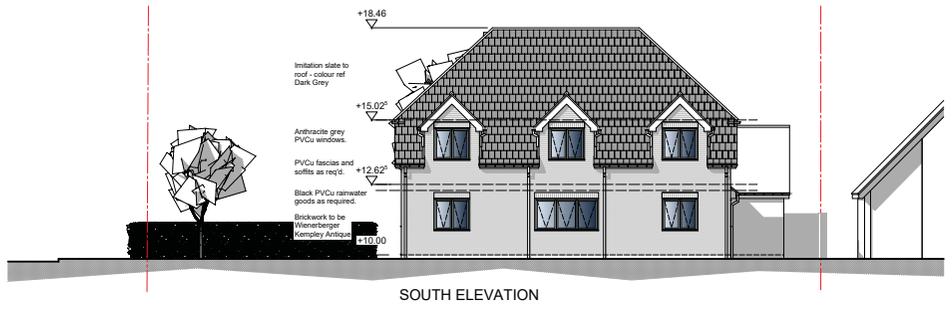
PA/2020/1241 Proposed elevations (not to scale)

Dwelling as Proposed

DO NOT SCALE FROM THIS DRAWING.

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Revision	Date



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION



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Site Location

Planning Application

Project
 Demolition of Existing and Construction of New Replacement Dwelling
 2 Nethergate
 Westwoodside

Client
 Mr. M. Knowles



Date July 2020
Scale 1:100 and 1:1250 @ A1
Drawn A. Cheffings

Drawing No. 1203.11
Revision -